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REMARKS**BEST AVAILABLE COPY**

This paper is filed in response to the Office Action mailed July 26, 2006 in the above-referenced application. Claims 1-20 were previously cancelled and claims 21-100 were added in the Second Preliminary Amendment. By this Amendment and Response, claims 35, 51 and 83 are cancelled, claims 21, 26, 37 and 69 are amended, and claims 101-171 are added. So the pending claims include claims 20-34, 36-50, 52-82, and 84-171.

Prior to this Amendment, the independent claims included claims 21, 37, 53, 69, and 85. In the Office Action dated July 26, 2006, it was indicated that independent claims 53 and 85 were allowable as well as the claims which depend from them. It was also indicated the claims 27, 35, 36, 43, 51, 52, 74, 75, 83, and 84 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitation of the base claim. Each of these dependent claims has been rewritten as an independent claim with a set of dependent claims corresponding with previously presented dependent claims.

| Dependent claims which were objected to in the Office Action | Independent claim amended or added to include limitations from dependent claims which were objected to |
|--|--|
| Dependent Claim 27 | Independent Claim 134 |
| Dependent Claim 35 | Independent Claim 21 |
| Dependent Claim 36 | Independent Claim 101 |
| Dependent Claim 43 | Independent Claim 144 |
| Dependent Claim 51 | Independent Claim 37 |
| Dependent Claim 52 | Independent Claim 112 |
| Dependent Claim 74 | Independent Claim 154 |
| Dependent Claim 75 | Independent Claim 163 |
| Dependent Claim 83 | Independent Claim 69 |
| Dependent Claim 84 | Independent Claim 123 |

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The information presented in the table above has been re-organized in the table below to list the amended and new independent claims in numerical order in one column and to correlate them with the independent and dependent claims which were combined to obtain the amended and new independent claims.

| Amended and new independent claims | Independent and dependent claims were combined |
|------------------------------------|--|
| Independent Claim 21 | Independent Claim 21 + Dependent Claim 35 |
| Independent Claim 37 | Independent Claim 37 + Dependent Claim 51 |
| Independent Claim 69 | Independent Claim 69 + Dependent Claim 83 |
| Independent Claim 101 | Independent Claim 21 + Dependent Claim 36 |
| Independent Claim 112 | Independent Claim 37 + Dependent Claim 52 |
| Independent Claim 123 | Independent Claim 69 + Dependent Claim 84 |
| Independent Claim 134 | Independent Claim 21 + Dependent Claim 27 |
| Independent Claim 144 | Independent Claim 37 + Dependent Claim 43 |
| Independent Claim 154 | Independent Claim 69 + Dependent Claim 74 |
| Independent Claim 163 | Independent Claim 69 + Dependent Claim 75 |

Independent claims, 21, 37 and 69 include the limitation "wherein the anastomosis opening is formed without requiring interruption of blood flow through the receiving vessel at the anastomosis site" which differs from the limitation previously recited in dependent claims 35, 51 and 83 by replacing "without substantially blocking" and adding "at the anastomosis site." Examples of support for this limitation are found in the Application in paragraphs 14, 71, 78, 166, and 224 and Figures 15A-15H and the corresponding text. The presence of the anvil may result in some reduction in the flow

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of blood but the flow of blood through the receiving vessel is not interrupted as the anvil does not fully block the flow of blood at the anastomosis site.

Below is a table listing the new dependent claims in the left column and listing the corresponding identical dependent claims in the right column which were previously presented.

| New dependent claims | Identical dependent claims which were previously presented |
|----------------------|--|
| 102-109 | 22-29 |
| 110 | 32 |
| 111 | 34 |
| 113-120 | 38-45 |
| 121 | 48 |
| 122 | 50 |
| 124-131 | 70-77 |
| 132 | 80 |
| 133 | 82 |
| 135-139 | 22-26 |
| 140-141 | 28-29 |
| 142 | 32 |
| 143 | 34 |
| 145-149 | 38-42 |
| 150-151 | 44-45 |
| 152 | 48 |
| 153 | 50 |
| 155-158 | 70-73 |
| 159-160 | 76-77 |
| 161 | 80 |
| 162 | 82 |
| 164-167 | 70-73 |
| 168-169 | 76-77 |
| 170 | 80 |
| 162 | 82 |

In the Office Action, claims 26 and 42 were rejected under the second paragraph of 35 U.S.C. § 112. Claim 26 has been amended to overcome this rejection. There is antecedent basis in claim 42 for "the extravascular device" so it has not been amended.

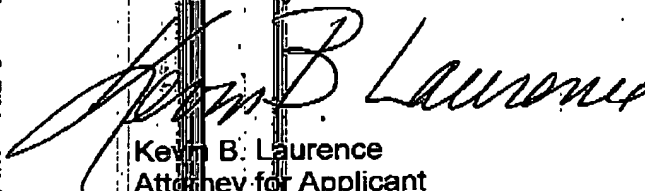
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As noted above, independent claim 69 has been amended to include the content of dependent claim 83. It is respectfully submitted that claim 69 is patentable over U.S. Patent No. 5,330,486 issued to Wilk for reasons in addition to those provided with regard to claim 83. Claim 69 recites "holding a portion of the wall of the receiving vessel at the anastomosis site between the anvil and a component of an extravascular device to isolate a region of the wall and to stretch at least part of the isolated region prior to forming an anastomosis opening, wherein the component of the extravascular device is positioned outside of a graft vessel lumen. Wilk does not make a method with such a step obvious.

In summary, the amended and new claims are supported and are patentable. In view of the foregoing, a prompt notice of allowance for this case is respectfully requested. As mentioned above, if the Examiner finds any remaining impediment to the prompt allowance of this application, please contact the undersigned attorney.

DATED this 25TH day of AUGUST 2006.

Respectfully submitted,



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